

ORIGIN

FILED

MAY - 9 2018

Clerk, U.S. District Court
Texas Eastern

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA
v.
FRANK CACOPARDO

NO. 4:18CR 43
Judge Mazzant

FACTUAL BASIS

IT IS HEREBY STIPULATED by Frank Cacopardo ("Cacopardo"), defendant herein, that the following facts are true and correct and that he understands and agrees, with express consent of his counsel, Jerry W. Biesel, that this Factual Statement may be used by the Court to determine whether his plea is voluntary and knowing and by the probation officer and Court to determine an appropriate sentence for the offense which he is pleading guilty:

a. The defendant, Cacopardo, conducted, financed, managed, supervised, directed or owned all or part of a gambling business. The gambling business involved five or more people, namely:

1. The defendant, **Cacopardo**, conducted, directed and financed a sports betting gambling business that involved at least five other people.

2. The gambling business violated Texas law, specifically Texas Penal Code §§ 71.02 and 47.03.

3. The gambling business that **Cacopardo** operated was in continuous operation for more than 30 days beginning on or about January 2011 through March 2017 and had a gross revenue of \$2,000.00 or more on any single day.

4. **Cacopardo** agrees that the following property represents proceeds of the offense:

- a. **Cacopardo** will agree to forfeit the following:
 - i. \$7,401,702.86 in gambling proceeds previously seized.

b. **Cacopardo's signature and acknowledgment:**

I have read this factual statement and have discussed it with my attorney. I fully understand the contents of this factual statement and agree without reservation that it accurately describes the events and my acts.

Dated: 2/26/18

Frank Cacopardo
FRANK CACOPARDO
Defendant

c. **Defendant's counsel's signature and acknowledgment:**

I have read this factual statement and have reviewed it with my client, **Frank Cacopardo**. Based upon my discussions with **Cacopardo**, I am satisfied that he understands the factual statement.

Dated: 2/26/18

Jerry W. Biesel
JERRY W. BIESEL
Attorney for Frank Cacopardo